

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

**IN RE: ENRIQUE REYES, JR. &
ELIZABETH D. REYES
DEBTORS**

**Case No.: 4:15-bk-10882
CHAPTER 13**

**NOTICE OF OPPORTUNITY TO OBJECT TO
MODIFIED PLAN BEFORE CONFIRMATION**

You are hereby notified that the captioned debtors have filed the attached modification to the plan pursuant to 11 U.S.C. § 1329 or 11 U.S.C. § 1323 and Rule 3019 of the Federal Rules of Bankruptcy Procedure. Objections to confirmation of the plan as modified must be filed with the Bankruptcy Court at 300 W. 2nd St., Little Rock, AR 72201, in writing within 21 days from the date of this notice, with copies to the attorney for the debtors and to Mark McCarty, Chapter 13 Trustee, P.O. Box 5006, North Little Rock, AR 72119.

If objections to the plan as modified are filed, they will be set for hearing by subsequent notice. If no objections are received, the plan as modified may be confirmed without further notice or hearing.

Honey Law Firm, P.A.
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Hot Springs, AR 71902
(501) 321-1007 - Phone
(501) 321-1255 – Fax
mhubbard@honeylawfirm.com

Date: June 23, 2015

/s/Wm. Marshall Hubbard
Wm. Marshall Hubbard (2011285)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that copies of the foregoing Notice and attached Modification of Plan have been mailed to:

Mark T. McCarty, Ch 13 Trustee
By ECF

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Dept. of Finance and Administration
Legal Division, Rm 208
PO Box 1272
Little Rock, AR 72203

U.S. Attorney, Eastern District
P.O. Box 1229
Little Rock, AR 72203

Employment Security Division
Legal Department
PO Box 2981
Little Rock, AR 72203

U.S. Trustee
200 W. Capitol, Ste 1200
Little Rock, AR 72201-3618

and to all creditors whose names appear on the attached creditor matrix.

/s/Wm. Marshall Hubbard
Wm. Marshall Hubbard (2011285)

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MODIFICATION OF CHAPTER 13 PLAN BEFORE CONFIRMATION

Come now the debtors by and through their attorneys, Honey Law Firm, P.A., and for their modification to the original or modified Chapter 13 plan states:

1. **PAYMENT TO TRUSTEE:** Debtor proposes to pay **\$1,645.00** per month to the Trustee.

[Indicate how often the debtor is paid by checking the appropriate box below:]

() Weekly; () Bi-weekly; () Semi-Monthly; (XX) Monthly; or () Other:

If Other, please specify below:

The "BASE," or minimum amount to be paid into the Plan for the debtor to complete the Plan and be entitled to a discharge, shall be calculated as follows:

The SUM of the amount actually paid into the Plan as of the date of this modification:	\$2,775.00
PLUS the amounts proposed to be paid pursuant to this modified Plan, which is \$1,645.00 per month over the remaining <u>56</u> months:	\$92,120.00
For a TOTAL BASE of:	\$94,895.00

2. **PLAN LENGTH** shall remain the same to **60** months.

The debtor shall pay all disposable income into the plan for the applicable commitment period (unless unsecured creditors are paid 100%). In no case shall the plan length exceed 60 months. Length may be automatically extended by the Chapter 13 Trustee without further modification should such extension be necessary to adequately fund the plan in order to carry out the provisions of the plan as set for below.

3. **UNSECURED CREDITORS** are to be paid a **PRO RATA** dividend.

(SPECIAL NON-PRIORITY UNSECURED DEBTS REMAIN UNAFFECTED)

4. **MODIFIED TREATMENT OF EXISTING CREDITORS:**

The following changes are to be made to each creditor as set out below:

Creditor Name	Change in Treatment/Classification
United States Treasury [Claim #3]	The priority claim for 2011-2013 income taxes in the amount of <u>\$29.44</u> shall be paid in full in accordance with 11 U.S.C. § 1322(a)(2).

Shellpoint Mortgage Servicing [Claim #20]	Debtors are currently pursuing a home loan modification. Thus, the secured claim on the mortgage arrearage in the amount of <u>\$109,378.56</u> shall not receive any further disbursements pending the final determination of the pending loan modification. In the event the loan modification is denied, within 21 days of receipt of the denial letter, debtors shall modify their plan to include the arrearage owed or surrender their interest in the property. In the event the loan modification is accepted, within 21 days of the acceptance letter the debtors shall file a motion seeking Court approval.
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5. Unsecured Creditors shall be paid at least as much as they would receive under Chapter 7.
6. All other provisions as set forth in the last **PROPOSED** shall remain the same.

Respectfully Submitted,

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Date: June 23, 2015

/s/Wm. Marshall Hubbard
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